## REMARKS

An Office Action was mailed on February 3, 2003. Claims 22-40 are pending in the present application.

Applicant is submitting herewith a Sub-Power of Attorney. All future correspondence in this matter should continue to be directed to <u>Customer Number 026304</u> at Katten Muchin Zavis Rosenman, 575 Madison Avenue, New York, New York, 10022-2585, Phone: (212) 940-8800, Fax: (212) 940-8776.

Applicant has carefully reviewed the Examiner's Office Action dated February 3, 2002, in which misnumbered claims 1-19 have been renumbered 22-40, respectively; claims 23, 30 and 36 are objected to because of informalities; claims 31 and 37 are objected to under 37 CFR §1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim; claims 22, 23, 25 and 26 are rejected under 35 U.S.C. 102(e) as anticipated by Blackadar et al. (U.S. Patent 6,336,365); claims 24, 28-33 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackadar et al.; and Claims 27, 34 and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant appreciates that claims 1-19 have been renumbered by the Examiner as claims 22-40 and it is believed that the claim dependencies have also been renumbered by the Examiner as well. Applicant has also rewritten Claims 22, 28 and 35, as set forth above in independent form, including all of the limitations of their dependent Claims 27, 34 and 40, respectively; cancelled Claims 27, 31, 34, 37 and 40; and amended Claims 23, 30 and 36 to further clearly define the

09/934,495 11158586.01 subject matters distinguishable over the prior art, without adding any new matter and in full compliance with the statutory requirements.

In view of the foregoing, therefore, the subject application is now believed to be in full condition for allowance. Accordingly, it is respectfully requested that the Examiner's rejections be withdrawn; and that claims 22-26, 28-30, 32, 33, 35-36 and 38-39 be allowed in their present form.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case be passed to issue.

Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

Harris A. Wolin Reg. No. 39,432

## **CUSTOMER NUMBER 026304**

KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NEW YORK 10022-2585

PHONE: (212) 940-8800 FAX: (212) 940-8776

DOCKET NO.: 3246/FLK/DIV (032878-87623)

APRICO SOUS

09/934,495 11158586 01